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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,635	08/07/2003	Pierre Bonnard	Q76743	8467

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EXAMINER
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CAI, WAYNE HUU

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 06/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/635,635

Applicant(s)

BONNARD ET AL.

Examiner

Wayne Cai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/7/04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 8/7/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or  
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (f) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

***Claim Objections***

1. Claims 15, and 33 are objected to because of the following informalities:
  - Claim 15 should be depend upon claim 14.
  - Claim 33 should be depend upon claim 32.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 7, 9, 11-15, 17-19, 21-22, 24, 28-33, 35-37, 39, and 41 are rejected under 35 U.S.C. 102(b) as being anticipated by Kazmi (US – 6,044,261).

**Regarding claims 1, and 24,** Kazmi discloses a method, and a device of treating location data for a mobile telephone device (UE-i) which can move in geographical areas (Cj) of a communication network, said geographical areas (Cj) being defined by sets of at least one location parameter, characterized in that it includes the following steps:

- i) detection of the geographical area (Cj) in which said mobile telephone device (UE-i) is located at predetermined times (col. 5, lines 3-45),
- ii) temporary storage of a set of location parameters representative of said detected geographical area (col. 5, line 46 – col. 5, line 60),

iii) analysis of said sets of location parameters stored at chosen intervals (col. 6, lines 9-31),

iv) storage of each set of location parameters satisfying at least one chosen criterion (col. 5, line 58 – col. 6, line 31).

**Regarding claims 7, and 28,** Kazmi discloses a method, and a device according to claims 1, and 24 as described above. Kazmi further discloses that said detected geographical area is stored temporarily in corresponding relationship to at least its time of detection (col. 6, lines 9-31).

**Regarding claims 9, and 29,** Kazmi discloses a method, and a device according to claims 1, and 24 as described above. Kazmi further discloses that said set of location parameters is stored, after analysis, in corresponding relationship to chosen information (col. 5, line 46 – col. 6, line 8).

**Regarding claims 11-12, and 30-31,** Kazmi discloses a method, and system according to claims 7, 9, 28, and 29. Kazmi further discloses wherein said information is representative of a time interval associated with each set of location parameters satisfying said chosen criterion (fig. 7, and its descriptions).

**Regarding claims 13, and 32,** Kazmi discloses a method, and a device according to claims 1, and 24 as described above. Kazmi further discloses wherein it includes an additional step in which a chosen status is associated with said stored sets of location parameters (col. 5, lines 46-67; fig. 7, and its descriptions).

**Regarding claims 14, and 15,** Kazmi discloses a method according to claim 13 as described above. Kazmi also discloses wherein said information is representative of

a time interval (fig. 7, elements 210, 220, and 230) associated with each set of location parameters satisfying said chosen criterion, and further characterized in that said status association is effected automatically as a function of said information (col. 6, lines 55-67).

**Regarding claims 17, and 35,** Kazmi discloses a method, and a device according to claims 13, and 32 as described above. Kazmi also discloses wherein said status is a field associated with an operating configuration of said mobile telephone device (UE-i) (fig. 7, and its descriptions).

**Regarding claims 18, and 36,** Kazmi discloses a method, and a device according to claims 17, and 35 as described above. Kazmi also discloses wherein said field is selected from the group including at least "Home", "Office" and "Other" fields (fig. 7, elements 210, 220, and 230).

**Regarding claims 19, and 37,** Kazmi discloses a method, and a device according to claims 13, and 32 as described above. Kazmi further discloses wherein said operating configuration is defined by the user of said mobile telephone device (UE-i) (col. 5, lines 12-26).

**Regarding claims 21, 22, and 39,** Kazmi discloses a method, and a device according to claims 1, 13, and 24 as described above. Kazmi further discloses wherein each set of location parameters includes at least one parameter representative of a network cell identifier (fig. 7, "home zone ID 0").

**Regarding claim 33,** Kazmi discloses all the limitations as described above. Kazmi also discloses a location data processing device (D) for a mobile telephone

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device (UE-I) which can move in geographical areas (Cj) of a communication network defined by sets of at least one location parameter, characterized in that it includes processing means (M) adapted i) to determine the geographical area (Cj) in which the mobile telephone device (UE-i) is located at predetermined times (col. 5, lines 3-45), and then to store temporarily a set of location parameters representative of said detected geographical area (col. 5, line 46 – col. 5, line 60), and ii) to analyze said sets of location parameters stored at chosen interval (col. 6, lines 9-31), in order to store each set of location parameters satisfying at least one chosen criterion (col. 5, line 58 – col. 6, line 31) in conjunction with claim 22 wherein processing means (M) are adapted to effect said status association automatically as a function of said information (fig. 7, and its descriptions).

**Regarding claim 41**, Kazmi discloses all the limitations as described above.

Kazmi also discloses a mobile telephone device (UE-i) able to move in geographical areas (Cj) of a communication network defined by sets of at least one location parameter, characterized in that it includes a processing device (D) according to claim 24 (fig. 1, element 40 and its descriptions).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-6, 8, 10, and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kazmi.

**Regarding claims 2, and 25,** Kazmi discloses a method, and a device according to claims 1, and 24 as described above, except for characterizing in that said detection is periodic. However, it is obvious to one skill in the art that the detection is periodic since the user has setup the schedule for the home zone. Therefore, it would periodically detect based upon the specified schedule.

**Regarding claims 3-6, and 26-27,** Kazmi discloses a method, and system according to claims 1, 2, and 24 as described above. Kazmi further discloses wherein said analysis consists in determining all the sets of location parameters and then counting out each set of location parameters (col. 4, lines 1-25), except for characterizing in that each set of location parameters is stored in association with a number greater than a chosen threshold, said chosen criterion consisting of crossing said threshold to a value above said threshold. However, it would have been obvious to one skill in the art to select and store location parameters, which are greater than a chosen threshold since chosen threshold is a lowest level of acceptability.

**Regarding claim 8,** Kazmi discloses a method according to claim 2 as described above. Kazmi also discloses wherein said detected geographical area is stored temporarily in corresponding relationship to at least its time of detection (col. 6, lines 9-31).

**Regarding claim 10**, Kazmi discloses a method according to claim 2 as described above. Kazmi also discloses wherein set of location parameters is stored, after analysis, in corresponding relationship to chosen information (col. 5, line 46 – col. 6, line 8).

6. Claims 16, 20, 23, 34, 38, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kazmi in view of Hussain et al (hereinafter Hussain) (US – 6,591,105 B1).

**Regarding claims 16, and 34**, Kazmi discloses a method, and a device according to claims 13, and 32 as described above. Kazmi, however, fails to disclose wherein said status association is initiated by the user of said mobile telephone device (UE-i) by selecting a status from a set of statuses displayed on a screen of his mobile telephone device (UE-i).

In a similar endeavor, Hussain discloses a system and method for managing access in cellular network with multiple profiles. Hussain further discloses wherein said status association is initiated by the user of said mobile telephone device (UE-i) by selecting a status from a set of statuses displayed on a screen of his mobile telephone device (UE-i) (col. 4, lines 4-35; fig. 3, and its descriptions).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the steps of displaying the status initiated by the user to inform what profile is currently in affect.

**Regarding claims 20, and 38,** Kazmi discloses a method, and a device according to claims 13, and 32 as described above. Kazmi, however, fails to disclose wherein at least two different sets of location parameters satisfying said criterion can be associated with the same status.

In a similar endeavor, Hussain discloses a system and method for managing access in cellular network with multiple profiles. Hussain further discloses wherein at least two different sets of location parameters satisfying said criterion can be associated with the same status (col. 4, lines 4-35).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include two set of locations parameter with the same status so that users could access the same status at two different locations.

**Regarding claims 23, and 40,** Kazmi discloses a method, and a device according to claims 21, and 39 as described above. Kazmi, however, fails to disclose wherein some sets of location parameters include at least one complementary parameter selected from the group including radio information representative of the received power of a base station (Node B) controlling said cell and/or the distance to the base station (Node B) controlling said cell.

In a similar endeavor, Hussain discloses a system and method for managing access in cellular network with multiple profiles. Hussain further discloses wherein some sets of location parameters include at least one complementary parameter selected from the group including radio information representative of the received power

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of a base station (Node B) controlling said cell and/or the distance to the base station (Node B) controlling said cell (col. 4, line 64 – col. 5, line 7).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include some sets of location parameters include at least one complementary parameter selected from the group including radio information representative of the received power of a base station since the base station with stronger signal should be selected for better quality of service.


### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wayne Cai whose telephone number is (571) 272-7798. The examiner can normally be reached on Monday-Friday; 9:00-6:00; alternating Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Wayne Cai  
Examiner  
Art Unit 2681



ERIKA A. GARTY  
PRIMARY EXAMINER